GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

STARRED QUESTION NO:437
ANSWERED ON:22.08.2001
SETTING UP OF NATIONAL VIGILANCE CORPS
JAGDAMBI PRASAD YADAV

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Central Vigilance Commission has sent any proposal to the Government for setting up of a Corps on the lines of National Service Scheme to curb the corruption in the country;

(b) if so, the reaction of the Government thereto;

(c) the steps taken/proposed to be taken by the Government in this regard; and

(d) the details of such other proposals received by the Government from the Central Vigilance Commission?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT OF PENSIONS AND PENSIONERS WE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE II DEPARTMENTS OF ATOMIC ENERGY AND SPACE. (SMT.VASUNDHARA RAJE)

(a),(b),(c)&(d): A Statement is placed on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a),(b),(c)&(d) OF LOK SABHA STARRED QUESTION NO. 437 ANSWER ON 22ND AUGUST, 2001

(a),(b)&(c): The Central Vigilance Commission (CVC) sought the suggestions from the Department of Education and the Ministry of Culture, Youth Affairs and Sports about how best the youth energy could be harnessed to fight the menace of corruption in the country. The Ministry of Culture, Youth Affairs and Sports has felt that the manner and extent to which youth volunteers may be involved in the process of checking/exposing corruption would be a sensitive issue to be handled with due care. This suggestion was also discussed in the Conference of State Vigilance Commissioners/Chiefs of Anti-corruption Bureaux held under the chairmanship of the Central Vigilance Commissioner on 19th June, 2000 where several sensitive issues were raised in this regard which will need to be taken into account before any scheme is finalized. A Committee has been constituted by the CVC to examine the issue further and no formal proposal has been received by the Government from the CVC so far.

(d): The status of some of the other suggestions received by the Government from the Central Vigilance Commission is as under:-

(i) Enactment of Whistle Blower`s Act

On the basis of the practice in Britain and other countries like the Unites States of America, the Central Vigilance Commission has addressed the Law Commission in this regard

(ii) Enactment of Freedom of Information Act

The Freedom of Information Bill 2000 has been introduced in the Lok Sabha on 25th July, 2000. The 78th Report on Freedom of Information Bill, 2000 of the Department related Parliamentary Standing Committee of Home Affairs was placed on the Table of both the Houses on 25th July, 2001.

(iii) Enactment of Corrupt Public Servants (Forfeiture of Property) Act.

The Law Commission vide its 166th Report, submitted on 5th February, 1999, recommended enacting a legislation titled `The Corrupt Public Servants (Forfeiture of Property) Act, 1999` for forfeiture of ill-gotten properties. The Report has been examined and it has been felt by the legal experts and the Department of Legal Affairs, that enactment of a separate legislation for confiscating the illegally acquired assets of public servants may not be the solution of the problem. It would be more appropriate to strengthen the anti-corruption law by plugging the loopholes as well as by amending the Prevention of Corruption Act, 1988 suitably to make it more

deterrent to achieve the objective.

(iv) Benami Transactions Prohibition Act, 1988

The Government of India had passed a Legislation in 1988 to prohibit Benami transactions and the right to recover property held Benami and for matters connected therewith and incidental thereto. The implementation of the Act, however, is held up for formulation of rules under Section 8 of the Act and declaration/notification of the authority for exercising the powers to acquire such properties under Section 5 of the Act. The Central Vigilance Commissioner requested the Department of Revenue on 07.01.1999 to prescribe the Central Vigilance Commission as the authority to implement the aforesaid Act.